

# **EXHIBIT G**

**From:** Anthony Capozzolo  
**Sent:** Thursday, September 12, 2024 2:20 PM  
**To:** Benjamin Allee  
**Cc:** Arthur D. Middlemiss; Joy Lee; Marc Scholl; James MacFadyen  
**Subject:** RE: [External Email] RE: Rosenwasser Deposition

Ben,

Thanks for your professionalism and the courtesy of the information you have provided.

Best regards,  
Anthony Capozzolo

---

**From:** Benjamin Allee <Benjamin@yankwitt.com>  
**Sent:** Thursday, September 12, 2024 12:03 PM  
**To:** Anthony Capozzolo <Anthony.Capozzolo@LBKMLAW.com>  
**Cc:** Arthur D. Middlemiss <Arthur.Middlemiss@LBKMLAW.com>; Joy Lee <joy.lee@lbkmlaw.com>; Marc Scholl <Marc.Scholl@LBKMLAW.com>; James MacFadyen <James.MacFadyen@LBKMLAW.com>  
**Subject:** RE: [External Email] RE: Rosenwasser Deposition

Good afternoon Anthony. I received your email setting forth your position on scheduling. For your planning purposes I will just note again that Stewart will not be appearing tomorrow. Thank you.

Regards,  
Ben



Benjamin Allee  
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140 Grand Street, Suite 705  
White Plains, New York 10601  
Tel. (914) 686-1500  
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**From:** Anthony Capozzolo <[Anthony.Capozzolo@LBKMLAW.com](mailto:Anthony.Capozzolo@LBKMLAW.com)>  
**Sent:** Wednesday, September 11, 2024 9:23 PM  
**To:** Benjamin Allee <[Benjamin@yankwitt.com](mailto:Benjamin@yankwitt.com)>  
**Cc:** Arthur D. Middlemiss <[Arthur.Middlemiss@LBKMLAW.com](mailto:Arthur.Middlemiss@LBKMLAW.com)>; Joy Lee <[joy.lee@lbkmlaw.com](mailto:joy.lee@lbkmlaw.com)>; Marc Scholl <[Marc.Scholl@LBKMLAW.com](mailto:Marc.Scholl@LBKMLAW.com)>; James MacFadyen <[James.MacFadyen@LBKMLAW.com](mailto:James.MacFadyen@LBKMLAW.com)>  
**Subject:** Re: [External Email] RE: Rosenwasser Deposition

Ben,

Thank you for consistently responding to our emails.

We will not agree to a delay. Mr. Rosenwasser was noticed for this deposition in July.

We then delayed at his request for him to secure counsel.

We then delayed again due to your vacation.

We informed him of the deposition date on multiple dates and again, after we met and conferred.

We have incurred costs. Now Mr Rosenwasser says he cannot attend, without explanation, and we are informed that your firm is not yet actually engaged to represent him for purposes of litigation. To be clear, your attempt to assist him is admirable (and your conduct professional and courteous). Mr. Rosenwasser's delay in obtaining counsel is patently inexcusable given his decades of legal experience and the statement that he is not able to appears only calculated and dilatory.

We expect to see Mr. Rosenwasser on Friday. If we do not, we will move to compel and seek all available remedies.

Regards,  
Anthony Capozzolo

On Sep 11, 2024, at 8:39 PM, Benjamin Allee <[Benjamin@yankwitt.com](mailto:Benjamin@yankwitt.com)> wrote:

Anthony: Thank you for your message. We are continuing to review and consider your response yesterday to the question we raised on August 22 and again in the meet and confer yesterday. We would request that you postpone the scheduled deposition date, to allow for completion of the meet and confer process and in the effort to avoid litigation.

Please note that Stewart is not able to appear for the deposition on Friday. Whether he appears at a later date, or litigation is required regarding the subpoena, depends on our further review of your responses during yesterday's meet and confer which is continuing. I will further note that, while I have endeavored to negotiate a resolution as a courtesy to Stewart, my firm is not retained for purposes of any litigation in this matter at this time.

Thank you.

Regards,  
Ben

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**From:** Anthony Capozzolo <[Anthony.Capozzolo@LBKMLAW.com](mailto:Anthony.Capozzolo@LBKMLAW.com)>  
**Sent:** Wednesday, September 11, 2024 2:28 PM

**To:** Benjamin Allee <[Benjamin@yankwitt.com](mailto:Benjamin@yankwitt.com)>; Arthur D. Middlemiss <[Arthur.Middlemiss@LBKMLAW.com](mailto:Arthur.Middlemiss@LBKMLAW.com)>  
**Cc:** Joy Lee <[joy.lee@lbkmlaw.com](mailto:joy.lee@lbkmlaw.com)>; Marc Scholl <[Marc.Scholl@LBKMLAW.com](mailto:Marc.Scholl@LBKMLAW.com)>; James MacFadyen <[James.MacFadyen@LBKMLAW.com](mailto:James.MacFadyen@LBKMLAW.com)>  
**Subject:** RE: [External Email] RE: Rosenwasser Deposition

Ben,

Discovery ends, for the purpose of this deposition on September 24.

But to be clear, we are not amenable to moving the date of the deposition due to the fact that the window is closing soon and there are other outstanding discovery matters we are resolving with the Defendant and our own schedules for other matters.

With no slight intended to you personally, Mr. Rosenwasser was served with this subpoena on July 15, 2024 and we view his late hour attempt to delay, by him, as not warranted given that the caselaw indicates that the typical and proper procedure is for the non-party witness to attend the deposition and assert his Fifth Amendment rights to the questions as posed. Given his own previous experience as a judge and attorney, he must have appreciated the nature of the subpoena and the deadlines involved in resolving issues such as this.

One final note, in discussing the logistics of a remote/virtual deposition with others, I need to withdraw our previous offer to conduct the deposition remotely due to the need to show him exhibits.

Please reach out to us immediately if you wish to discuss any further issues prior to Friday's deposition date.

Regards,  
Anthony Capozzolo

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**From:** Benjamin Allee <[Benjamin@yankwitt.com](mailto:Benjamin@yankwitt.com)>  
**Sent:** Wednesday, September 11, 2024 10:10 AM  
**To:** Anthony Capozzolo <[Anthony.Capozzolo@LBKMLAW.com](mailto:Anthony.Capozzolo@LBKMLAW.com)>; Arthur D. Middlemiss <[Arthur.Middlemiss@LBKMLAW.com](mailto:Arthur.Middlemiss@LBKMLAW.com)>  
**Cc:** Joy Lee <[joy.lee@lbkmlaw.com](mailto:joy.lee@lbkmlaw.com)>; Marc Scholl <[Marc.Scholl@LBKMLAW.com](mailto:Marc.Scholl@LBKMLAW.com)>; James MacFadyen <[James.MacFadyen@LBKMLAW.com](mailto:James.MacFadyen@LBKMLAW.com)>  
**Subject:** RE: [External Email] RE: Rosenwasser Deposition

Good morning Anthony. Thank you for meeting yesterday and for your email. We are reviewing and considering your responses and will get back to you on them. Regarding scheduling and the period for discovery that you mention, when does that end? Thanks again.

Regards,  
Ben

---

**From:** Anthony Capozzolo <[Anthony.Capozzolo@LBKMLAW.com](mailto:Anthony.Capozzolo@LBKMLAW.com)>  
**Sent:** Tuesday, September 10, 2024 2:59 PM  
**To:** Benjamin Allee <[Benjamin@yankwitt.com](mailto:Benjamin@yankwitt.com)>; Arthur D. Middlemiss <[Arthur.Middlemiss@LBKMLAW.com](mailto:Arthur.Middlemiss@LBKMLAW.com)>  
**Cc:** Joy Lee <[joy.lee@lbkmlaw.com](mailto:joy.lee@lbkmlaw.com)>; Marc Scholl <[Marc.Scholl@LBKMLAW.com](mailto:Marc.Scholl@LBKMLAW.com)>; James MacFadyen <[James.MacFadyen@LBKMLAW.com](mailto:James.MacFadyen@LBKMLAW.com)>  
**Subject:** RE: [External Email] RE: Rosenwasser Deposition

Ben,

Thank you for the meet and confer today regarding Mr. Rosenwasser's intent to take the Fifth Amendment to questions posed at the deposition. We appreciate the professional and non-acrimonious discussion.

We had the following takeaways and provide some additional points to consider when speaking to your client and responding.

As we indicated, we believe the law is clear in the Second Circuit that an adverse inference can be taken against a defendant with regard to the invocation of the Fifth Amendment by a non-party if the four part test in LiButti v United States (876 F.2d 1080) is applicable. In this matter, we feel comfortable that we have a substantial case to make that Mr. Rosenwasser's invocation to the Fifth Amendment can justify an adverse inference against Moutz Soudani.

To that end, we believe it necessary for Mr. Rosenwasser to invoke the Fifth Amendment to specific questions so that we can properly make that application to the Court. We think accepting some global invocation of the Fifth Amendment would weaken our ability to get specific adverse inferences against Moutz Soudani.

Further, because Mr. Rosenwasser's relationship with Soudani goes back many years, we believe that there are many questions for which Mr. Rosenwasser cannot take the Fifth because they are relevant to the claims in the Plaintiff's case in chief, and not related to the allegations in the counterclaims. As a result we may ask Mr. Rosenwasser about events that took place well before the bribery scheme that has been alleged to have taken place. If Mr. Rosenwasser invokes the 5<sup>th</sup>, it is the normal procedure that a witness should appear and take the Fifth to questions. This is required to make the necessary record for the Court to evaluate whether the right was properly invoked.

We believe your application of the "link in the chain" analysis overstates the scope of the Fifth Amendment. Using that logic, it would be hard to envision a case where a witness could not evade all questions at any deposition by invoking the Fifth Amendment. We understand that Mr. Rosenwasser has known Moutz Soudani going back more than 40 years, and had substantial engagement with him and his family during that period. It is hard to imagine that any such testimony about his observations back then could be incriminatory given that the Statute of Limitations would have long passed on any conduct going back that far. Rather, such testimony would simply be relevant to our client's claims as stated in the complaint, and to her defenses with respect to the defendant's counterclaims.

Finally, we would extend as a courtesy, to you and your client, the opportunity to conduct the deposition virtually to alleviate some of the cost and burden that an in person deposition would carry in an attempt to find an accommodation that would work for both parties.

We look forward to resuming this discussion as soon as you are able to, in an attempt to move forward. Mr. Rosenwasser was first noticed for deposition in early August, and the period for discovery is now coming to an end.

Best,  
Anthony Capozzolo

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Anthony M. Capozzolo  
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**c** 201 696-1481

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**From:** Benjamin Allee <[Benjamin@yankwitt.com](mailto:Benjamin@yankwitt.com)>  
**Sent:** Tuesday, September 10, 2024 10:38 AM  
**To:** Arthur D. Middlemiss <[Arthur.Middlemiss@LBKMLAW.com](mailto:Arthur.Middlemiss@LBKMLAW.com)>  
**Cc:** Joy Lee <[joy.lee@lbkmlaw.com](mailto:joy.lee@lbkmlaw.com)>; Marc Scholl <[Marc.Scholl@LBKMLAW.com](mailto:Marc.Scholl@LBKMLAW.com)>; James MacFadyen <[James.MacFadyen@LBKMLAW.com](mailto:James.MacFadyen@LBKMLAW.com)>; Anthony Capozzolo <[Anthony.Capozzolo@LBKMLAW.com](mailto:Anthony.Capozzolo@LBKMLAW.com)>  
**Subject:** RE: [External Email] RE: Rosenwasser Deposition

Good morning. Sure thing I will call Anthony's number. Thank you.

Regards,  
Ben

---

**From:** Arthur D. Middlemiss <[Arthur.Middlemiss@LBKMLAW.com](mailto:Arthur.Middlemiss@LBKMLAW.com)>  
**Sent:** Tuesday, September 10, 2024 9:17 AM  
**To:** Benjamin Allee <[Benjamin@yankwitt.com](mailto:Benjamin@yankwitt.com)>  
**Cc:** Joy Lee <[joy.lee@lbkmlaw.com](mailto:joy.lee@lbkmlaw.com)>; Marc Scholl <[Marc.Scholl@LBKMLAW.com](mailto:Marc.Scholl@LBKMLAW.com)>; James MacFadyen <[James.MacFadyen@LBKMLAW.com](mailto:James.MacFadyen@LBKMLAW.com)>; Anthony Capozzolo <[Anthony.Capozzolo@LBKMLAW.com](mailto:Anthony.Capozzolo@LBKMLAW.com)>  
**Subject:** RE: [External Email] RE: Rosenwasser Deposition

To confirm – we are scheduled to have a call at 11. You should either call Anthony's number or send us a number where you can be reached and he will call you. Thanks – Art

---

Arthur D. Middlemiss

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---

**From:** Arthur D. Middlemiss

**Sent:** Monday, September 9, 2024 4:32 PM

**To:** 'Benjamin Allee' <[Benjamin@yankwitt.com](mailto:Benjamin@yankwitt.com)>

**Cc:** Joy Lee <[joy.lee@lbkmlaw.com](mailto:joy.lee@lbkmlaw.com)>; Marc Scholl <[Marc.Scholl@LBKMLAW.com](mailto:Marc.Scholl@LBKMLAW.com)>; James MacFadyen <[James.MacFadyen@LBKMLAW.com](mailto:James.MacFadyen@LBKMLAW.com)>; Anthony Capozzolo <[Anthony.Capozzolo@LBKMLAW.com](mailto:Anthony.Capozzolo@LBKMLAW.com)>

**Subject:** RE: [External Email] RE: Rosenwasser Deposition

Ben – I apologize that my emails of 8/29 and 9/5 regarding scheduling were not clear enough to indicate our intent to require Mr. Rosenwasser to appear on 9/13. As a courtesy I explained below why he is a relevant witness. But recall that his relationship with the defendant and the family is a long one. We do not believe he will be entitled to take the 5<sup>th</sup> to every question posed. We are also not obliged to disclose the full subject matter of his testimony.

I have considered whether an FRCP 31(a)(1) type deposition would work, but we have decided it will be more efficient simply to take his deposition, particularly with the expiry of the discovery period coming up.

I may not be available at 11 tomorrow morning, but let's schedule the call and my colleague Anthony Capozzolo will cover it. His mobile is 201-696-1481.

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---

**From:** Benjamin Allee <[Benjamin@yankwitt.com](mailto:Benjamin@yankwitt.com)>

**Sent:** Monday, September 9, 2024 3:03 PM

**To:** Arthur D. Middlemiss <[Arthur.Middlemiss@LBKMLAW.com](mailto:Arthur.Middlemiss@LBKMLAW.com)>

**Cc:** Joy Lee <[joy.lee@lbkmlaw.com](mailto:joy.lee@lbkmlaw.com)>; Marc Scholl <[Marc.Scholl@LBKMLAW.com](mailto:Marc.Scholl@LBKMLAW.com)>; James MacFadyen <[James.MacFadyen@LBKMLAW.com](mailto:James.MacFadyen@LBKMLAW.com)>; Anthony Capozzolo <[Anthony.Capozzolo@LBKMLAW.com](mailto:Anthony.Capozzolo@LBKMLAW.com)>

**Subject:** RE: [External Email] RE: Rosenwasser Deposition

Good afternoon Art. I am not free today but could do tomorrow 11am if that works for you?

Regarding your email, thank you for your response. But you still have not addressed the question I asked on August 22 and that, to my understanding, you were considering. What is the purpose of taking the deposition when the third-party witness invokes his right? The deposition will not yield any relevant testimony based on your assessment of relevance below. What need is there to take the deposition in these circumstances?

Thank you.

Regards,  
Ben

---

**From:** Arthur D. Middlemiss <[Arthur.Middlemiss@LBKMLAW.com](mailto:Arthur.Middlemiss@LBKMLAW.com)>  
**Sent:** Monday, September 9, 2024 11:27 AM  
**To:** Benjamin Allee <[Benjamin@yankwitt.com](mailto:Benjamin@yankwitt.com)>  
**Cc:** Joy Lee <[joy.lee@lbkmlaw.com](mailto:joy.lee@lbkmlaw.com)>; Marc Scholl <[Marc.Scholl@LBKMLAW.com](mailto:Marc.Scholl@LBKMLAW.com)>; James MacFadyen <[James.MacFadyen@LBKMLAW.com](mailto:James.MacFadyen@LBKMLAW.com)>; Anthony Capozzolo <[Anthony.Capozzolo@LBKMLAW.com](mailto:Anthony.Capozzolo@LBKMLAW.com)>  
**Subject:** RE: [External Email] RE: Rosenwasser Deposition

Ben – thanks for getting back to us.

Following up on our conversation on 8/22, I sent an email on 8/29 inquiring regarding your availability for deposition on 9/13. When you did not respond, I sent a follow up email on 9/5 setting the 9/13 date, and informing you that we were making arrangements for the deposition. We also sent you a letter that should arrive at your office today if has not already.

“When a deposition is sought, the availability of the Fifth Amendment privilege does not mean that the witness need not attend the deposition. The proper procedure is for the deponent to attend the deposition, to be sworn under oath, and to answer those questions he can without risking self-incrimination.” *Moll v. U.S. Life Title Ins. Co. of New York*, 113 F.R.D. 625, 628-29 (S.D.N.Y. 1987). Our intent is to follow this procedure.

I am happy to meet and confer regarding the deposition. However, I suggest that we do so today. As noted in our communications, we have made arrangements to hold the deposition on 9/13, and we will seek costs from Mr. Rosenwasser if he does not appear. If we were to cancel or re-schedule, our best chance to avoid or minimize such costs would be to do so as soon as possible.

As to relevance, Mr. Rosenwasser’s testimony is critical with respect to the defendant’s counterclaims. The defendant alleged in a counterclaim that our client and her son stole money from him. It appears the defendant paid Mr. Rosenwasser to investigate and prosecute. If true, that fact would tend to destroy the defendant’s counterclaim. Mr. Rosenwasser’s testimony is required on this basis.

---

Arthur D. Middlemiss

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---

**From:** Benjamin Allee <[Benjamin@yankwitt.com](mailto:Benjamin@yankwitt.com)>  
**Sent:** Monday, September 9, 2024 10:54 AM  
**To:** Arthur D. Middlemiss <[Arthur.Middlemiss@LBKMLAW.com](mailto:Arthur.Middlemiss@LBKMLAW.com)>  
**Cc:** Joy Lee <[joy.lee@lbkmlaw.com](mailto:joy.lee@lbkmlaw.com)>; Marc Scholl <[Marc.Scholl@LBKMLAW.com](mailto:Marc.Scholl@LBKMLAW.com)>; James MacFadyen <[James.MacFadyen@LBKMLAW.com](mailto:James.MacFadyen@LBKMLAW.com)>  
**Subject:** RE: [External Email] RE: Rosenwasser Deposition

Good morning Art. I hope you are well. Thank you for your message. During our call on August 22, I described that based on, among other things, my review of the filings in your case including your statements regarding seeking to provide information obtained in discovery to federal criminal authorities, I anticipated that at a deposition Mr. Rosenwasser would not answer questions. I also described that I did not understand what the purpose would be of taking a third-party deposition of a witness who is unavailable on this basis. My understanding of your response was that you would take that under consideration, and also would consider potentially written questions to submit. I have not heard back from you further other than regarding your arrangements for the deposition.

I would suggest in these circumstances we meet and confer, including to make every effort to resolve this matter without need for court intervention. I am available Wednesday afternoon other than 3-4pm and Thursday any time. Thank you.

Regards,  
Ben

---

**From:** Arthur D. Middlemiss <[Arthur.Middlemiss@LBKMLAW.com](mailto:Arthur.Middlemiss@LBKMLAW.com)>  
**Sent:** Thursday, September 5, 2024 8:20 AM  
**To:** Benjamin Allee <[Benjamin@yankwitt.com](mailto:Benjamin@yankwitt.com)>  
**Cc:** Joy Lee <[joy.lee@lbkmlaw.com](mailto:joy.lee@lbkmlaw.com)>; Marc Scholl <[Marc.Scholl@LBKMLAW.com](mailto:Marc.Scholl@LBKMLAW.com)>; James MacFadyen <[James.MacFadyen@LBKMLAW.com](mailto:James.MacFadyen@LBKMLAW.com)>  
**Subject:** RE: [External Email] RE: Rosenwasser Deposition

We have not heard back from you re: the below and so presume there are no issues with the timing. We are making arrangements to hold the deposition on 9/13 at 930 am at our offices – the address is provided below. Thanks – Art

---

Arthur D. Middlemiss

## Lewis Baach Kaufmann Middlemiss PLLC

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New York, New York 10017

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**From:** Arthur D. Middlemiss  
**Sent:** Thursday, August 29, 2024 1:59 PM  
**To:** Benjamin Allee <[Benjamin@yankwitt.com](mailto:Benjamin@yankwitt.com)>  
**Cc:** Joy Lee <[joy.lee@lbkmlaw.com](mailto:joy.lee@lbkmlaw.com)>; Marc Scholl <[Marc.Scholl@LBKMLAW.com](mailto:Marc.Scholl@LBKMLAW.com)>; James MacFadyen <[James.MacFadyen@LBKMLAW.com](mailto:James.MacFadyen@LBKMLAW.com)>  
**Subject:** Re: [External Email] RE: Rosenwasser Deposition

Counsel for defendant has been out a bit for personal reasons. He told me today he is available 9/13. We would like to schedule the deposition for that date.

On Aug 22, 2024, at 2:49 PM, Benjamin Allee <[Benjamin@yankwitt.com](mailto:Benjamin@yankwitt.com)> wrote:

Good morning. Yes I'm on another call but will call you when it ends about 10am if that works. Thanks.

---

**From:** Arthur D. Middlemiss <[Arthur.Middlemiss@LBKMLAW.com](mailto:Arthur.Middlemiss@LBKMLAW.com)>  
**Sent:** Thursday, August 22, 2024 9:45 AM  
**To:** Benjamin Allee <[Benjamin@yankwitt.com](mailto:Benjamin@yankwitt.com)>  
**Cc:** Joy Lee <[joy.lee@lbkmlaw.com](mailto:joy.lee@lbkmlaw.com)>; Marc Scholl <[Marc.Scholl@LBKMLAW.com](mailto:Marc.Scholl@LBKMLAW.com)>; James MacFadyen <[James.MacFadyen@LBKMLAW.com](mailto:James.MacFadyen@LBKMLAW.com)>  
**Subject:** RE: [External Email] RE: Rosenwasser Deposition

I just tried you – is there a time that works for you this morning?

---

Arthur D. Middlemiss

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**From:** Arthur D. Middlemiss  
**Sent:** Wednesday, August 21, 2024 3:00 PM  
**To:** 'Benjamin Allee' <[Benjamin@yankwitt.com](mailto:Benjamin@yankwitt.com)>  
**Cc:** Joy Lee <[joy.lee@lbkmlaw.com](mailto:joy.lee@lbkmlaw.com)>; Marc Scholl <[Marc.Scholl@LBKMLAW.com](mailto:Marc.Scholl@LBKMLAW.com)>; James

MacFadyen <[James.MacFadyen@LBKMLAW.com](mailto:James.MacFadyen@LBKMLAW.com)>  
**Subject:** RE: [External Email] RE: Rosenwasser Deposition

No worries. I am around today but if today does not work at all how about 930 tomorrow?

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Arthur D. Middlemiss

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---

**From:** Benjamin Allee <[Benjamin@yankwitt.com](mailto:Benjamin@yankwitt.com)>  
**Sent:** Wednesday, August 21, 2024 12:26 PM  
**To:** Arthur D. Middlemiss <[Arthur.Middlemiss@LBKMLAW.com](mailto:Arthur.Middlemiss@LBKMLAW.com)>  
**Cc:** Joy Lee <[joy.lee@lbkmlaw.com](mailto:joy.lee@lbkmlaw.com)>; Marc Scholl <[Marc.Scholl@LBKMLAW.com](mailto:Marc.Scholl@LBKMLAW.com)>; James MacFadyen <[James.MacFadyen@LBKMLAW.com](mailto:James.MacFadyen@LBKMLAW.com)>  
**Subject:** Re: [External Email] RE: Rosenwasser Deposition

I have been in a government office and it looks like my message earlier about being delayed didn't get out. My apologies. If there is a good time tomorrow please let me know. Thanks.

Sent from my iPhone

On Aug 21, 2024, at 11:34 AM, Arthur D. Middlemiss <[Arthur.Middlemiss@lbkmlaw.com](mailto:Arthur.Middlemiss@lbkmlaw.com)> wrote:

I'm at 212-822-0129 or I can send a zoom – thanks.

---

Arthur D. Middlemiss

**Lewis Baach Kaufmann Middlemiss PLLC**

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New York, New York 10017

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---

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---

**From:** Arthur D. Middlemiss  
**Sent:** Wednesday, August 21, 2024 8:51 AM  
**To:** 'Benjamin Allee' <[Benjamin@yankwitt.com](mailto:Benjamin@yankwitt.com)>  
**Cc:** Joy Lee <[joy.lee@lbkmlaw.com](mailto:joy.lee@lbkmlaw.com)>; Marc Scholl <[Marc.Scholl@LBKMLAW.com](mailto:Marc.Scholl@LBKMLAW.com)>; James MacFadyen <[James.MacFadyen@LBKMLAW.com](mailto:James.MacFadyen@LBKMLAW.com)>  
**Subject:** RE: [External Email] RE: Rosenwasser Deposition

Sure – you can use the number below. Thanks – Art

---

Arthur D. Middlemiss

**Lewis Baach Kaufmann Middlemiss PLLC**

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155 East 44th Street  
25th Floor  
New York, New York 10017

**t** 212 822-0129

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**From:** Benjamin Allee <[Benjamin@yankwitt.com](mailto:Benjamin@yankwitt.com)>  
**Sent:** Wednesday, August 21, 2024 8:43 AM  
**To:** Arthur D. Middlemiss <[Arthur.Middlemiss@LBKMLAW.com](mailto:Arthur.Middlemiss@LBKMLAW.com)>  
**Cc:** Joy Lee <[joy.lee@lbkmlaw.com](mailto:joy.lee@lbkmlaw.com)>; Marc Scholl <[Marc.Scholl@LBKMLAW.com](mailto:Marc.Scholl@LBKMLAW.com)>; James MacFadyen <[James.MacFadyen@LBKMLAW.com](mailto:James.MacFadyen@LBKMLAW.com)>  
**Subject:** Re: [External Email] RE: Rosenwasser Deposition

I'm out of the office so I'll dial in or just can call you if that works. Thanks.

Sent from my iPhone

On Aug 21, 2024, at 8:34 AM, Arthur D. Middlemiss <[Arthur.Middlemiss@lbkmlaw.com](mailto:Arthur.Middlemiss@lbkmlaw.com)> wrote:

That will work – thanks. I'll send a zoom invite for us.

---

Arthur D. Middlemiss

**Lewis Baach Kaufmann Middlemiss**  
**PLLC**

10 Grand Central  
155 East 44th Street  
25th Floor  
New York, New York 10017

**t** 212 822-0129

[Bio](#) | [Email](#) | [Website](#) | [vCard](#)

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**From:** Benjamin Allee <[Benjamin@yankwitt.com](mailto:Benjamin@yankwitt.com)>  
**Sent:** Wednesday, August 21, 2024 8:30 AM  
**To:** Arthur D. Middlemiss  
<[Arthur.Middlemiss@LBKMLAW.com](mailto:Arthur.Middlemiss@LBKMLAW.com)>  
**Cc:** Joy Lee <[joy.lee@lbkmlaw.com](mailto:joy.lee@lbkmlaw.com)>; Marc Scholl  
<[Marc.Scholl@LBKMLAW.com](mailto:Marc.Scholl@LBKMLAW.com)>; James MacFadyen  
<[James.MacFadyen@LBKMLAW.com](mailto:James.MacFadyen@LBKMLAW.com)>  
**Subject:** Re: [External Email] RE: Rosenwasser  
Deposition

Thank you. I'm in a meeting 9am today that will go a while. 11:30?

Sent from my iPhone

On Aug 20, 2024, at 3:56 PM,  
Arthur D. Middlemiss  
<[Arthur.Middlemiss@lbkmlaw.co](mailto:Arthur.Middlemiss@lbkmlaw.co)  
m> wrote:

Yes – I am available the rest of the day today and tomorrow from 9-12. I'll propose 930 tomorrow to speak but feel free to call me today if convenient.

---

Arthur D. Middlemiss

**Lewis Baach Kaufmann**  
**Middlemiss PLLC**

10 Grand Central  
155 East 44th Street  
25th Floor  
New York, New York 10017

**t** 212 822-0129

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**From:** Benjamin Allee  
<[Benjamin@yankwitt.com](mailto:Benjamin@yankwitt.com)>  
**Sent:** Tuesday, August 20, 2024 3:52 PM  
**To:** Joy Lee <[joy.lee@lbkmlaw.com](mailto:joy.lee@lbkmlaw.com)>  
**Cc:** Arthur D. Middlemiss <[Arthur.Middlemiss@LBKMLAW.com](mailto:Arthur.Middlemiss@LBKMLAW.com)>; Marc Scholl <[Marc.Scholl@LBKMLAW.com](mailto:Marc.Scholl@LBKMLAW.com)>; James MacFadyen <[James.MacFadyen@LBKMLAW.com](mailto:James.MacFadyen@LBKMLAW.com)>  
**Subject:** [External Email] RE: Rosenwasser Deposition

Good afternoon. Thanks for your email. I am not available on August 27. Could we speak tomorrow or Thursday regarding this matter and scheduling?

Regards,  
Ben

---

**From:** Joy Lee <[joy.lee@lbkmlaw.com](mailto:joy.lee@lbkmlaw.com)>  
**Sent:** Monday, August 19, 2024 1:29 PM  
**To:** Benjamin Allee <[Benjamin@yankwitt.com](mailto:Benjamin@yankwitt.com)>  
**Cc:** Arthur D. Middlemiss <[Arthur.Middlemiss@LBKMLAW.com](mailto:Arthur.Middlemiss@LBKMLAW.com)>; Marc Scholl <[Marc.Scholl@LBKMLAW.com](mailto:Marc.Scholl@LBKMLAW.com)>; James MacFadyen <[James.MacFadyen@LBKMLAW.com](mailto:James.MacFadyen@LBKMLAW.com)>  
**Subject:** RE: Rosenwasser Deposition

Hi Ben,

I'm following up on my email from last Friday – I understand you were out of office. Could you please let us know if we can schedule Mr. Rosenwasser's deposition for August 27?

Best,  
Joy

---

**From:** Joy Lee  
**Sent:** Friday, August 16, 2024 10:39 AM  
**To:** [benjamin@yankwitt.com](mailto:benjamin@yankwitt.com)  
**Cc:** Arthur D. Middlemiss  
<[Arthur.Middlemiss@LBKMLAW.com](mailto:Arthur.Middlemiss@LBKMLAW.com)>;  
Marc Scholl  
<[Marc.Scholl@LBKMLAW.com](mailto:Marc.Scholl@LBKMLAW.com)>; James  
MacFadyen  
<[James.MacFadyen@LBKMLAW.com](mailto:James.MacFadyen@LBKMLAW.com)>  
**Subject:** Rosenwasser Deposition

Hi Ben,

I'm part of the counsel team for Ms. Soudani with Art Middlemiss. I'm reaching out regarding Mr. Rosenwasser's deposition. We have communicated with Mr. Soudani's lawyer and he is available on August 20 or August 27 for the deposition. Could you please let us know if these dates work for your schedule?

Many thanks,  
Joy

---

Joy Lee  
Associate

**Lewis Baach Kaufmann  
Middlemiss PLLC**

10 Grand Central  
155 East 44<sup>th</sup> Street  
25<sup>th</sup> Floor  
New York, New York 10017  
**t** 212 897-1972

[Email](#) | [Website](#)

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